

# PLANNING BRIEFS

PUBLISHED BY THE AMHERST PLANNING DEPARTMENT

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## PLANNING AMHERST TOGETHER

On June 16<sup>th</sup>, in the Parish Hall behind Grace Church, the Comprehensive Planning Committee held a community forum to gather citizen input into the crafting of a Master Plan proposal. Despite soggy weather, the meeting was well-attended and lively. Consultant Jeanne Armstrong of Land Use, Inc., led the introductions and a brainstorming session on what the Master Plan should accomplish. The participants were then broken up into small groups to discuss the following questions:

1. What would you like to ask other townspeople that would help us plan for the future?
2. What brought you to Amherst? Why did you choose to stay here?
3. What 3 changes would make your daily life here more enjoyable or successful?



*Alisa Brewer, Chair of the Comprehensive Planning Committee, speaks to the June 16th public*

After the discussions, representatives from each group shared some of the responses that had arisen.

Following this meeting, a community questionnaire was prepared to gather further responses to these important questions. The Planning Department mailed the questionnaire to all members of Town Meeting, Town boards and commissions, distributed and collected it at all three public libraries, and posted it on the Town website. Over 200 responses have been gathered from all of these methods, with a great number of suggestions for Amherst's future, and statements about what factors make our town special.

By this fall, the Comprehensive Planning Committee and their consultant will distill the information they have gathered into a package of topics and goals that will form the Request for Proposals (RFP) for the Master Plan's preparation. This RFP, cost estimates, and a request for funding will be brought before Town Meeting. Thanks to the good work done "planning the plan", the Master Plan will be able to address a wide spectrum of the community's concerns, and develop a vision of Amherst's future contributed to by its citizens.

## IN THE NEWS

**MASTER PLAN: Next Steps**  
**You are invited to a Public Forum to be held Thursday, September 29<sup>th</sup>, at 7 p.m. in the Bangs Community Center. The Comprehensive Planning Committee will unveil community survey responses and progress to date, and seek citizen input on the next steps.**

## RECOMMENDED WEBSITE

Massachusetts Office of Geographic and Environmental Information  
<http://www.mass.gov/mgis/>

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## THE SPECIAL PERMIT PROCESS:

### OBTAINING A SPECIAL PERMIT IN AMHERST (PART 2 OF 2)

This is the second of two articles intended to clarify the process for those seeking to obtain a Special Permit from the Zoning Board of Appeals (ZBA). By understanding the process and regularly consulting with Planning Department staff, applicants can make their Special Permit process relatively painless and hassle-free.

**Application** – A Special Permit application with all its submittal materials should be filed with the Planning Department. Copies of Special Permit application forms and instructions are available in the Planning Department office or on the Town website at:

[http://www.amherstma.gov/departments/Planning/ZBA\\_Application.pdf](http://www.amherstma.gov/departments/Planning/ZBA_Application.pdf)

A Special Permit submittal should include the following:

- A completed application form
- Site plans and/or architectural plans showing the existing conditions and the proposed changes on a surveyed plan and completed by a registered professional, such as a landscape architect or engineer
- A management plan that explains in detail how the property will be used and managed
- An abutters list from the Assessors Office, enabling the Town to transmit notice of the Special Permit public hearing to the owners of all properties located within 300 feet of subject property
- Permit fee(s).

Members of the Planning Department staff are on hand to assist an applicant before, during, and after the permitting process. To make the permitting process as smooth as possible, applicants are encouraged to consult with a Planning staff member and with the Building Commissioner (to determine if building or fire codes will affect the project's design) before submitting an application. These consultations give applicants the opportunity to understand all of the requirements (including the need for any other permits addressing wetlands, property issues, street/shade tree regulations, etc.). They will also identify possible community concerns that might affect the project, allowing applicants to make adjustments to the proposal prior to submitting their application.

**Prior to the Public Hearing** - Once a completed application has been submitted, Planning Department staff consult with the ZBA Chair and members, and schedule a

public hearing for the Special Permit request on the agenda of an upcoming ZBA meeting. Notice of the public hearing must be published in a paper of local circulation in two successive weeks prior to the hearing and mailed to abutters. Depending on the number of application reviews already underway, it may take anywhere from 3-6 weeks before the public hearing is held for a specific application.

During the 'pre-hearing' period, Planning Department staff review the application plans and materials, and may continue to provide feedback to applicants on any issues that become apparent. Copies of the application are transmitted to other Town committees and officials for their review and comment. About a week prior to the public hearing, Planning Department staff write a memo for the ZBA that summarizes the proposal and notes any specific issues the Board may want to address. This memo is sent to the applicant and all the ZBA board members, and is available to the public.

**Site Visit** - Also prior to the public hearing, the ZBA will schedule a site visit so that the applicant can point out the characteristics of the building or site. This process is designed to provide the Board members with a better understanding of the current conditions and proposed changes. These planned site visits are not part of the public hearing process, and thus are not open for the general public to attend or enter the property.

A site visit is not a time for an applicant (or anyone else) to make their "pitch" concerning an application. Nor should the applicant or any others seek to contact ZBA members at home or elsewhere outside of a public hearing—the hearing of testimony and receipt of evidence regarding a Special Permit application can only take place during a public hearing. The applicant or others wishing to submit information for the ZBA's consideration are encouraged to provide that information to the Planning Department office a week or more in advance of the public hearing.

**Public Hearing** - The public hearing required for a Special Permit application is intended to give members of the community a chance to hear about and comment on the proposal. The ZBA Chair opens a public hearing by introducing the application and explaining how the hearing will be conducted. The applicant then explains his/her proposal, putting into public record the general outline and specific details of the application. The Board then asks questions about the proposal. Following the presentation

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*"A community is like a ship: everyone ought to be prepared to take the helm."*

*- Henrik Ibsen, writer*

and initial questioning by the Board, the Chair will ask for questions and comments by abutters and members of the general public. All questions or comments must be directed to the Chair. Once all comments have been received, the Board will move to close the public hearing. In some cases, if the Board determines there is a need for more information, the Board may not close the hearing during the same meeting in which the hearing was opened. Instead, the Board may move to continue the public hearing to a future meeting date and time when the requested information will be available.

**Deliberations & Voting** - Once the public hearing has been closed, the ZBA cannot take any further testimony. The Board begins the deliberation phase of the process by reviewing the ways in which the proposal responds to the requirements of the Zoning Bylaw. The ZBA must make specific findings listed in the Zoning Bylaw in order to grant a Special Permit. Once its deliberations are complete, the Board will move and vote to: 1) grant the Special Permit (usually with a list of conditions), or 2) deny the permit. All votes to grant a Special Permit must be unanimous (3-0).

**After the Vote** - Planning Department staff are responsible for drafting and amending the Special Permit decision at the ZBA's direction. The decision will include a record of the evidence submitted prior to and at the public hearing, the vote of the Board to grant or deny the permit, the findings of the case, and any conditions the Board elected to impose on the Special Permit. A draft decision is reviewed, corrected, and edited by the ZBA members who participated in making the decision. The resulting final decision is then signed by the members of the ZBA and filed with the Town Clerk by Planning Dept. staff.

**Appeal, Filing & Enforcement** - Once the Special Permit decision is filed with the Town Clerk, there is a twenty (20) day appeal period during which members of the community or the applicant can appeal the ZBA's decision to the courts. If no appeal is filed by the end of the 20 day appeal period, the applicant should file the decision with the Hampshire County Registry of Deeds in Northampton and may then obtain a building permit to begin work. Enforcement of a Special Permit and its conditions is the responsibility of the Building Commissioner, who serves as the Zoning Enforcement Officer. To enforce a Special Permit, the Building Commissioner refers to the plans (site, architectural, and management) that were approved and signed by the ZBA, and to any conditions attached to the permit.

NEXT ISSUE: *DESIGN REVIEW*



## STAFF SPOTLIGHT ON: SUE KRZANOWSKI

When you walk up to the Planning Department counter on the second floor of Town Hall, Sue Krzanowski will probably be the first to greet you. Sue is the Management Assistant for the department, providing administrative services and assistance to Planning and Zoning staff and the Planning Board. Her day-to-day duties are many and varied, and include much of the activity that allows the department to operate smoothly. She accepts applications, arranges meetings and hearings, and maintains the logs and records. She maintains the budget, updates the Zoning Bylaw documents when Town Meeting approves changes, processes the mail, and handles countless other tasks. If everyone else in the office relies on her to know what's going on, it's her own fault—she does know everything that's going on.

Sue was hired on July 11, 1988, and has been with the Amherst Planning Department staff for seventeen years. Shortly after graduating from Easthampton High School in 1969, Sue started working at the UMass School of Business of Administration. Sue's last position at the University was Project Manager for the National Data Base Project in the School of Education—a federal project funded by the U.S. Department of Education. All told, she worked for UMass for 18 years before being hired by the Amherst Planning Department.

Sue was born in Holyoke and grew up in Easthampton. She now lives across the river in Northampton. Two weeks of every summer she vacations at a favorite retreat near the beach in Rhode Island. Sue organizes bus trips to New York City for other Town employees and is a devotee of Broadway plays. A lifetime member of Red Sox nation, Sue displays her loyalty around her well-ordered desk, and is a fount of information on the latest games. Being generous and charitable by nature, she remains friends with the few unfortunate Yankees fans among Amherst Town employees.

Her favorite part of the job? "My co-workers", she says, and "having learned and developed so that I feel I can contribute in a positive way."

*"For every complex and difficult problem, there is an answer that is simple, easy, and wrong."*

*- H. L. Mencken, journalist*



# HISTORY HAPPENINGS

## Dedicating the Mural



*A dedication in the rain*

Despite soggy weather, the June 16<sup>th</sup> ceremony held by the Amherst Historical Commission to dedicate the nearly completed Amherst Community History Mural was a warm and energetic event. The oldest part of the burying ground was filled with people listening to acknowledgements, prayers in the Montauket language, and the sweet and hot strains of the New Black Eagle Jazz Band. Many of those present were relatives or descendants of those depicted on the mural. After acknowledging the many donors who made the mural possible, and introducing the mural's designer/artist David Fichter, relatives and descendants were invited forward to describe their personal connection to the Amherst history on the mural. Then they all stepped up to the brightly-colored ribbons draped on cemetery fence in front of the mural and, at a signal, snipped the ribbons, dedicating the mural to the community. The band struck up, and dancing and celebration proceeded between raindrops.

After a brief summer hiatus, muralist David Fichter is completing the last touches of the mural, and will be done by early October. Brochures describing the history of West Cemetery and interpreting the Amherst Community History Mural are available just inside the North Pleasant entrance to the cemetery, at Town Hall, and the Jones Library.



*Steve Puffer cuts the ribbon*

## Delaying Demolitions

The Amherst Historical Commission will ask this fall's Town Meeting to approve a longer, twelve (12) month 'delay' on the demolition of historic structures. The current demolition delay (zoning) bylaw was adopted in May 1999, and allowed the Historical Commission to impose six (6) month delays on the demolition of several historic buildings or structures. For a few years, only a handful of demolitions were proposed—from July 2003 through June 2004, the Historical Commission reviewed only five (5) demolition applications. But between July 2004 and June 2005, the pace picked up—the Historical Commission dealt with thirteen (13) demolition applications.

Amherst's heated housing market can make it attractive to create room for new buildings through demolition instead of restoring or renovating existing structures. Recently, the Commission imposed a six (6) month delay on an 1870s-era Gothic revival house at 26 Spring Street, and on the unique pre-1815 brick federal house at 575 North East Street. Both have historic significance beyond their architecture. The 26 Spring Street house was built by and home of Charles Lessey, a prominent local builder for whom Lessey Street is named. Revolutionary War soldier Benjamin Kimball built the house at 575 North East Street house, probably from bricks made in nearby fields—the house occupies and helps to define a uniquely historic farm landscape.

The delays imposed on demolition of these buildings will end November 20 (26 Spring Street) and December 20 (575 North East Street). Six months is not enough to time to identify and carry out alternatives to demolition. Most communities with demolition delay regulations use a 6 month delay, but several—including Northampton—use 12 months instead. The Massachusetts Historical Commission recommends a 12 month delay. Fall Town Meeting will decide whether or not to increase this protection for Amherst's important historical structures. If you have an opinion in the matter, let your Town Meeting representatives know.

## History for Lunch

This lunch-time lecture series is once again underway. Sponsored jointly by the Amherst Historical Commission (Town committee) and the Amherst Historical Society (non-profit organization), this fall's lectures occur on the third Thursday of each month, begin at noon, and include the following:

- |                        |   |
|------------------------|---|
| Thursday, September 22 | <i>The Dirty Hands District</i><br>Stephen P. Puffer, Jr.<br>Room 101, Bangs Community Center |
| Thursday, October 20   | <i>Arms &amp; Amherst</i><br>Jonathan Tucker<br>Amherst History Museum                        |

Watch for announcements on further lectures.

## CONTACT INFORMATION:

Amherst Planning Department  
4 Boltwood Avenue, Town Hall  
Amherst, MA 01002

Phone: 413-256-4040  
[www.amherstma.gov/planning](http://www.amherstma.gov/planning)  
[planning@amherstma.gov](mailto:planning@amherstma.gov)

*Planning Briefs* is available on our website at [www.amherstma.gov/planning](http://www.amherstma.gov/planning)

~Prepared by Cana McCoy, Graduate Intern, Amherst Planning Department~